

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ELECTRICAL WORKERS PENSION
TRUST FUND OF LOCAL UNION #58, *et al.*,

Plaintiffs,

Case No. 07-10636

v.

Hon. John Corbett O'Meara

CAMELL D. WILLIAMS,

Defendant.

ORDER OF PARTIAL DISMISSAL

On February 12, 2007, Plaintiffs filed their complaint, which alleges violations of 29 U.S.C. §§ 1145 and 1109(a) (ERISA) and the Michigan Builders Trust Fund Act, M.C.L. §570.151 *et seq.* Although Plaintiffs' ERISA claim is cognizable in this court pursuant to 28 U.S.C. § 1331, Plaintiffs' Michigan Builders Trust Fund Act claim arises under state law. Pursuant to 28 U.S.C. § 1367(c), a district court may decline to exercise supplemental jurisdiction over state law claims raised in federal question cases. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994). Because Plaintiffs do not assert diversity jurisdiction under 28 U.S.C. § 1332, this court declines to exercise supplemental jurisdiction over Plaintiffs' state law claim.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs' Michigan Builders Trust Fund Act claim is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Dated: April 25, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, April 25, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager